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Ser. No.: 10/693,206

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Anthony Cubb
Title : RES-Q-SCOPE
Serial No. : 10/693,206
Confirmation No. : 2309
Filed : Oct. 23, 2003
Group Art Unit : 3739
Examiner : KASZTEJNA, MATTHEW JOHN

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 pursuant to 37 CFR 1.10 on the date shown below as

Express Mail Receipt No. EV 332245201USName: Ralisa SubhawSignature: R. SubhawDate: August 24, 2005

August 24, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THIRD-PARTY SUBMISSION UNDER 37 CFR § 1.99

To the Commissioner for Patents:

Submitter hereby makes this third-party submission pursuant to 37 CFR § 1.99. The third-party submission is being made in the above-referenced patent application which was published on April 28, 2005 as Publication Number US 2005/0090712 A1.

The current submission is being made prior to mailing of the notice of allowance, but more than two months from the date of publication.

Timeliness Requirement

The current submission is being made after the date two months from the date of publication of the application, but prior to mailing of the notice of allowance. This submission is not being submitted within the time period set forth in 37 CFR §1.99(c) as it could not have been submitted earlier. The inventor of the current application is a co-inventor of the inventions disclosed in the publications submitted herewith. Because of this, it was believed that the inventor would not be pursuing any further patents, since the invention was covered by the prior patent/patent application. The submitter became aware of the current application following recent publications by the inventor indicating a new application was filed for the invention. It was then that the submitter became aware of the current application after the two-month period following the publication of the application.

List of Patents or Publications

The following is a list of the patents or publications hereby being submitted:

Pursuant to 37 CFR § 1.99(b) (3), enclosed herewith is a copy of the patents/publications listed above.



Service Upon the Applicant

As required by 37 CFR § 1.99, a copy of this Third-Party Submission is being served upon the applicant, Anthony Cubb, M.D. at 19714 Texas Laurel Trail, Kingwood, TX 77346, USA. Enclosed herewith is a certification of service upon the applicant in compliance with 37 CFR 1.248(b).

Fees Enclosed

Enclosed herewith is a check in the amount of \$180 as payment for the fee of \$180 set forth in 37 CFR § 1.17(p) as required by 37 CFR § 1.99 (e).

In view of the foregoing, it is respectfully requested that the currently submitted patents and publications be forwarded to the Examiner for review in the above-referenced patent application.

Respectfully submitted,

Linda S. Chan
Reg. No. 42,400

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The PTO did not receive the following
listed item(s) check for \$180.00

CERTIFICATE OF SERVICE

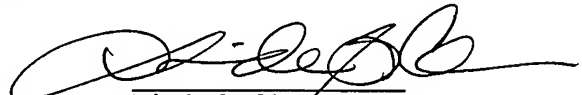
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Anthony Cubb, M.D.
19714 Texas Laurel Trail
Kingwood, TX 77346, USA

Applicant in U.S. Patent Application No. 10/603,641.


Linda S. Chan